

Regular Town Board Meeting Town of Gnesen

July 11, 2022

The bi-monthly meeting of the Town of Gnesen was held on Monday, July 11, 2022. The following officers were present:

Jon Nelson	Chair
Ed Franckowiak	Supervisor
Gary Juten	Supervisor
Sarah Blix	Clerk
Mary Bjorklund	Treasurer

The meeting was called to order at 8:00 p.m. by Chair Nelson. Board Members and sixteen residents stood and recited the Pledge of Allegiance to the Flag. Motion to approve the agenda was moved by Chair Nelson, second by Supervisor Franckowiak. All voted in favor.

Minutes of the June 27, 2022 Town Board Meeting was unanimously approved with a motion by Chair Nelson, second by Supervisor Juten.

Treasurer's report:

Balance for May 2022	\$398,890.18
Receipts for June 2022	+ 1,238.10
	<u>\$400,128.28</u>
Disbursements for June 2022	<u>-64,066.24</u>
Balance for June 2022	\$336,062.04

There was two outstanding checks for the month and one outstanding EFT totaling \$315.84. Motion by Supervisor Juten second by Supervisor Franckowiak, all voted in favor to accept the Treasurer's report.

**DISCUSSION:** None

**OLD BUSINESS:**

Pioneer Road Project-This project is scheduled to begin the last week in July and is expected to take two days to complete.

Road Vacate-Nathan spoke with an attorney through the MAT Association about a resident who would like to turn part of the platted easement off Park Drive into a driveway to access his property. The MAT attorney said that the resident could use the platted easement as a driveway but then it is open for any resident to utilize as well. Nathan said that the easement would not have to be vacated to do this. The MAT attorney advised that the board pass a resolution stating how much road they are currently maintaining so that it does not become the township's responsibility to maintain anything additional. Supervisor Franckowiak instructed Nathan to pass this information along to the resident to see how he would like to proceed.

Community Center-Johnson Wilson repairs-Sarah stated that the repair work on the gym roof and the duct work in the gym has been completed.

Calcium Chloride-Jake's Companies will be putting calcium chloride on the township roads sometime within the next two weeks.

Potential New Broadband Project-Chair Nelson has been in communication with CTC, who is the company installing broadband in the City of Rice Lake, to see how much it would cost to include some of Gnesen Township in the City of Rice Lake's broadband installation. The first phase, which would

include Howard Gnesen Road from Lismore Road to Sandy Trail, would cost approximately \$281,000. To add the Schultz Lake area, which would be the second phase, would be an additional \$543,000. Phase one and phase two would provide underground fiber to the home for approximately 170 homes. St. Louis County has a grant where they would do a 50/50 match. CTC could also contribute a percentage of the cost but Chair Nelson has not gotten that percentage yet. Chair Nelson will get more information from CTC to provide and the next Town Board Meeting.

Revised Short Term Rental Ordinance Draft-Nathan provided the Town Board a revised STR ordinance draft. Nathan said he used Ely, MN and St. Louis County as comparables. The following sections were the changes that Nathan proposed (in red):

**#6** Applicant has not had a short-term rental permit revoked within one (1) year of application **and has no current zoning violations on any property the applicant currently owns within Gnesen Township**

**#7** ~~No other short term rental exists within 1000 ft of a dwelling being applied for short term rental use on riparian property and 300ft on non-riparian property and the Township has not met its cap of 40 short term rentals for the entire township.~~ **No other Short-Term Rental exists within 500' on riparian property and 300' on non-riparian property, measured from the dwelling being applied for Short Term Rental use unless the adjacent property is owned by the same property owner**

**#8** ~~Applicant is a Gnesen Township registered voter.~~ **The Applicant is listed in the County Tax Records as having a homesteaded property located within Gnesen Township**

**Section E: Enforcement, Complaints and Substantiated Violations:** **It is in the best interest of the surrounding residents that complaints are communicated by the resident having a grievance directly to the Short Term Rental Property Owner and is addressed immediately. If the complaint is not addressed then the Zoning Officer should be contacted in writing using the official Short Term Rental Complaint Form and the complaint will then be investigated by the Zoning Officer and filed with the Town Clerk. First time substantiated violations within the 3-year permit cycle will result in a written warning to the property owner and filed with the Town Clerk. Second time substantiated violations within the 3-year permit cycle will result in a second written warning to the property owner filed with the Town Clerk and a temporary suspension of the Permit whereas the Short Term Rental will not be allowed to operate for a period of 60 days starting on the day the written warning was issued. Third time substantiated violations within the 3-year permit cycle will result in revocation of the Permit for a period of 1 year and include a fine of ~~\$1500~~ \$700 in addition to all costs associated with enforcement and revocation of the Permit. After the 1 year Permit suspension is up, a new permit will not be issued until all fines and enforcement penalties have been paid in full. Any person knowingly submitting a false complaint will be liable for all costs associated with investigation.**

Sue Lyons questioned the changes made to #7, "*unless the adjacent property is owned by the same property owner.*" Sue said that adding this verbiage opens the township up to the possibility of having multiple properties in a row being utilized as STR's. Sue also questioned why the riparian distance was changed from 1000ft to 500ft. Sue stated that lake properties are within close proximity to each other and a shorter distance increases the potential of higher densities. Nathan said he looked at other STR comparables and he picked 500ft as a median number. Sue questioned why Nathan used Ely as a comparable since Ely is a tourist town trying to lure tourists in. Nathan said he just picked places that were suggested by people at the last Town Board meeting. Kevin Middleton stated that he has had several offers from people wanting to buy his property to use as a STR. Bob Vavrosky stated that the distance between STR's on riparian properties started out at 1500ft then it decreased to 1000ft but now is being proposed at 500ft. Bob said that small lakes will be flooded with STR's and that regulations need to start more stringent versus less restrictive. Chair Nelson asked if there was a better way than just limiting by distance. Chair Nelson questioned if using a neighborhood cap might be better. Sue

said Two Harbors changed their rules to limit by zoning and that all STR's will only be allowed in commercial zones. Tim Cenerhous asked what planning strategy was used to form this draft. Tim said that in the past, surveys were used not other town's ordinances. Nathan said that the comp plan was used to create the base for this ordinance draft. Tim said this feel inconsistent with pass practices and that in the past things have started smaller and then expanded. Supervisor Franckowiak reminded everyone in attendance that no ordinance will be ideal for everyone and that the township is working on creating an ordinance that will best protect everyone. Chair Nelson asked Nathan to look at "neighborhoods" in Gnesen and try to calculate out a percentage that could potentially be used as a cap to present at the next meeting.

**NEW BUSINESS:**

Road grader operator's road report-Jody Cooke stated that all the gravel has been put down on the roads and they have been graded and are ready for calcium chloride.

Gnesen Community Center report-Sarah gave an update on preparations for National Night Out. Sarah said there was a suspicious vehicle that has been spotted at the Community Center multiple times. The Sheriff's department was contacted and the Township was instructed to continue watching for anything suspicious and call it in to the Sheriff's Department when noted. Sarah also questioned getting lighting on the exterior of the Community Center as it is very dark when meetings let out and it is a safety concern. Supervisor Juten agreed that the lighting is very poor on the exterior of the building and it is very dark in the parking lot at night. Chair Nelson asked Sarah and Jody to look into lighting options and pricing.

Resolution # 22-14-Chair Nelson made a motion to accept Resolution #22-14 appointing election judges for the August 9<sup>th</sup> Primary Elections, second by Supervisor Franckowiak. All vote in favor.

Using Per Mar for GCC Rental Security-Sarah stated that she has been having difficulties filling security needs for rentals through the St. Louis County Sheriff's Department and questioned using Per Mar. Supervisor Franckowiak said that you get better quality using the Sheriff's Department but understands and that the difficulties in finding a deputy to do security for the Community Center is likely due to a shortage of Deputies. Supervisor Franckowiak suggested continuing to use the St. Louis County Sheriff's Department but if they are unable to fill the position within 16 days of the event to then reach out to Per Mar as a backup.

Land Auction off Schultz Lake Road-A parcel of land is going up for auction off Schultz Lake Road that is adjacent to a piece of land that is already owned by Gnesen Township and St. Louis County questioned if the township would like to purchase it. After some discussion it was decided that the township would not be interested in the parcel. Sarah will reach out to Jeri Georges from St. Louis County and let her know that there is no township interest.

Mileage Rate Increase-Due to high gas prices the IRS increased the mileage rate for July-December 2022 from 58.5 cents/mile to 62.5 cents/mile.

Email from MAT Regarding Ordinance Draft Review-Sarah received an email response from MAT stating that they do not perform ordinance reviews and that township's should use their local attorneys. Chair Nelson asked Sarah if she could reach out to Couri and Ruppe for their price/hour and if they would be willing to review the Communication Tower ordinance draft and the short term rental ordinance draft.

**ZONING OFFICERS REPORT:**

Nathan discussed the Normanna Road issue and his communication about the issue with Sheriff Ross Litmann. Nathan was advised by Sheriff Litman to look into an Administrative Process for Enforcing Violations. Supervisor Juten suggested that Sarah ask Couri and Ruppe if they could help us with this as well when she reaches out to them about the ordinance drafts. Chair Nelson said to ask MAT first to see

if they could provide any resources for how townships can create an administrative process for enforcing violations. Nathan also discussed the issue on Hemlock Road.

**CORRESPONDENCE:**

Invite to DAT BBQ

Disbursement #15543 thru #15574 (check # 15563 was missing from the box. The box was unsealed and #15563 should have been the top check in the box but it wasn't there) and 6 EFT's were read, approved, and signed for payment for a total of \$48,243.55 with a motion by Supervisor Franckowiak, second by Supervisor Juten all in favor to pay the disbursement.

No further business, the meeting adjourned at 9:42 p.m. with a motion by Chair Nelson, second by Supervisor Juten. No objections, meeting adjourned. (This meeting is taped for transcribing purposes only.)

Visitors attending the meeting: Marcia & Jay Haller, Mile Polzin, Pete Bergman, Craig Poorker, Joanne & Bob Vavrosky, Sue Lyons, Jeremy Stolp, Dick DeLano, Kevin Middleton, Tim Cernoouse, Joanie Miller, Matt Thibodeau

Employees present Jody Cooke and Nathan Horyza. Employees absent None.

**Upcoming meetings:**

Planning Commission Meeting-July 20, 2022-7:30 p.m.

Town Board Meeting-July 25, 2022-8:00 p.m.

Signed: \_\_\_\_\_  
Sarah Blix, Clerk

\_\_\_\_\_  
Mary Bjorklund, Treasurer

\_\_\_\_\_  
Jon Nelson, Chair

Date approved: \_\_\_\_\_